

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
WINSTON-SALEM DIVISION

IN RE

Nancy L. Currie and  
Randolph S. Currie,

Debtors.

) Case No. 09-51951  
)  
) Chapter 7  
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**ORDER FOR RELIEF FROM THE AUTOMATIC STAY**

This matter came on before the undersigned United States Bankruptcy Judge upon the Motion for Adequate Protection and to Modify Stay (the "Motion") filed by U.S. Bank, N.A. (the "Creditor") to exercise its state law rights with respect to certain real property (the "Real Property") located at 7242 Executive Circle, Denver, NC 28037 and more fully described in the Motion. The Court having considered the Motion and the record in the case finds and concludes as follows:

1. The Creditor filed the Motion on November 16, 2009.
2. The Clerk of the Bankruptcy Court mailed a Notice to interested parties on November 17, 2009 that any objection to the Motion must be filed with the Court by November 27, 2009 and if no objections were filed within that time period, then the Court would consider the Motion without a hearing.
3. No objection to the Motion was filed by any interested party, and the time within which objections must be filed as set forth in the Notice has expired.
4. Cause exists for modification of the automatic stay afforded by § 362 of the Bankruptcy Code.

NOW, THEREFORE, it is hereby ORDERED, ADJUDGED, AND DECREED that the Motion is granted, and the automatic stay afforded by § 362 is modified to allow the Creditor to exercise its state law rights with respect to the Real Property.

IT IS FURTHER ORDERED that Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure is waived and that the Creditor may immediately enforce and implement this Order.

IT IS FURTHER ORDERED that if a sale of the Real Property is held and excess proceeds are derived, then such proceeds shall be deposited with the Chapter 7 Trustee in this case.

914.0000765

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PARTIES OF INTEREST

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